

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**
(*Special Original Jurisdiction*)

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TUESDAY, THE TWENTYSEVENTH DAY OF NOVEMBER
TWO THOUSAND AND SEVEN.

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P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No. 25171 of 2007

Between:

B. Kalakantaiah

... Petitioner

Versus

**The Joint Collector, Kurnool,
Kurnool district & Ors.**

... Respondents

Counsel for the Petitioner:

SRI VINAY KAMISSETTY (9450)

**Counsel for the Respondents:
SUPPLIES**

GOVT. PLEADER FOR CIVIL

THE HON'BLE SRI JUSTICE P.S. NARAYANA

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WRIT PETITION No. 25171 of 2007

ORDER:

Heard the counsel on record.

2. The learned Assistant Govt. Pleader for Civil Supplies would submit that only an order of remand was made and the discretion was exercised by the concerned authority while making an order of remand.

3. The writ petition is filed for a writ of mandamus declaring the proceedings issued by the first respondent in RC.No.CS3/172/2004, dated 05-9-2005 as illegal, arbitrary and against the principles of natural justice to the extent that remanding back the petitioners case to the second respondent and to decide the matter afresh instead of deciding the matter by the first respondent and to grant such other suitable order as this Court may deem fit and proper in the circumstances of the case.

4. In the light of the facts and circumstances, since the second respondent may have to decide the matter afresh and in view of the urgency pleaded, let the second respondent decide the matter on merits and in accordance with law at the earliest point of time, preferably within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is accordingly disposed of at the stage of admission. No costs.

JUSTICE P . S .
NARAYANA .

27/11/2007.

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NB:

Furnish CC tomorrow

B/o IsL.